

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**DATATERN, INC.,**

**Plaintiff**

**vs.**

**1. UNITED AIR LINES, INC.;**  
**2. UAL CORPORATION;**  
**3. AMERICAN AIRLINES, INC.;**  
**4. AMR CORPORATION;**  
**5. AMERICAN EXPRESS COMPANY;**  
**6. DISCOVER FINANCIAL SERVICES,**  
**INC.;**  
**7. HERTZ CORPORATION;**  
**8. AVIS BUDGET GROUP, INC.;**  
**9. WELLS FARGO & COMPANY; and**  
**10. WELLS FARGO BANK, N.A.,**

**Defendant.**

**Civil Action No. 2:09-cv-53**

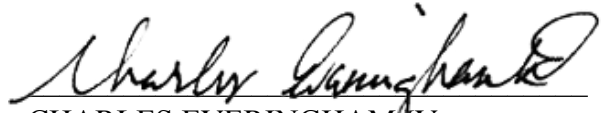
**JURY TRIAL DEMANDED**

**ORDER**

On this day came on to be heard the unopposed motion of Defendant American Express Company for leave to withdraw American Express Co.'s Motion to Dismiss for Insufficiency of Service of Process (# 36) on the ground that proper service on this defendant has been made. After due consideration of the motion, the Court is of the opinion that the same should be granted. It is therefore

ORDERED that American Express Co.'s Motion to Dismiss for Insufficiency of Process (# 36) is hereby WITHDRAWN.

SIGNED this 20th day of May, 2009.



CHARLES EVERINGHAM IV  
UNITED STATES MAGISTRATE JUDGE